

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BOBBY KENNETH WILLIAMSON, et al.	:	CIVIL ACTION NO. 1:23-CV-1781
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JOHN E. WETZEL, et al.	:	
	:	
Defendants	:	

ORDER

AND NOW, this 18th day of November, 2024, upon review of plaintiffs' amended complaints pursuant to 28 U.S.C. § 1915(e)(2) and 28 U.S.C. § 1915A, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Plaintiff Williamson's amended complaint (Doc. 27) is DISMISSED in part and without further leave to amend for failure to state a claim upon which relief may be granted.
2. Plaintiff Bundy's amended complaint (Doc. 30) is DISMISSED in its entirety and without further leave to amend for failure to state a claim upon which relief may be granted.
3. This case will be allowed to proceed solely with respect to (1) plaintiff Williamson's deliberate indifference claim against defendants Rivello, Banks, Price, McMullen, Holms, and the facility maintenance manager in their individual capacities; and (2) plaintiff Williamson's negligence claim against defendants Rivello and Holms in their individual capacities.
4. The Clerk of Court is directed to terminate from the docket of this case plaintiff Bundy and defendants Wetzel, Bickell, Brown, Harry, Kauffman, Ralston, Hollibaugh, McSurdy, Tuite, Scolia, Davis, Wood, Business Manager, Asbestos Property Manager, Gimble, Ferguson,

Little, Chief of the Safety and Environmental Protection Division, Facility Safety Manager, and Project Manager.

5. The Clerk of Court is directed to add “Facility Maintenance Manager” as a defendant on the docket of this case.
6. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to SERVE a copy of plaintiff Williamson’s amended complaint (Doc. 27), notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), this order, and the memorandum accompanying this order on defendants Rivello, Banks, Price, McMullen, and Holms. In the interest of efficient administrative judicial economy, the court requests that defendants waive service pursuant to Federal Rule of Civil Procedure 4(d).
7. If service cannot be completed due to plaintiff’s failure to properly name defendants or provide an accurate mailing address, plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of plaintiff’s claims against defendants pursuant to Federal Rule of Civil Procedure 4(m).

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner
United States District Judge
Middle District of Pennsylvania